



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Guildner Pipeline Maintenance, Inc.

File: B-226981

Date: June 12, 1987

DIGEST

Protest that agency's procurement of sewer repair services unduly restricts competition because only one repair process is requested is denied where agency has convincingly justified its requirement and protester has failed to show how its sewer repair process will not disrupt the security needs of the agency because of the necessity of excavations in a secure area. Moreover protester's repair process will diminish sewer pipe flow which is presently at 100 percent capacity.

DECISION

Guildner Pipeline Maintenance, Inc., protests allegedly restrictive provisions in request for proposals (RFP) F45613-87-R0002 issued by Fairchild Air Force Base (AFB), Washington, for the repair of sewer lines at a secure weapons storage area at Fairchild AFB. The RFP required the use of the Insituform method of sewer line repair, but Guildner contends that its method of lining the sewers with polyethylene pipe would serve the government's minimum needs.

We deny the protest.

Guildner states that it has successfully completed numerous pipeline maintenance projects by using polyethylene pipe for lining the existing pipe. It states that this is done by fusing together lengths of polyethylene pipe, digging a pit at an uncrucial point with minimal excavation, and with the use of a large winch, pulling the pipe through the existing line.

The Air Force maintains that the Insituform method is the only method by which its needs can be fulfilled. It explains that the sewer line to be repaired is within a weapons storage area with security requirements. It states that excavation in this restricted area must be limited due to the existence of underground sensors and the restriction of access to the area. The Air Force states that Insituform

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is the only product which can be installed within the existing sewer lines and manholes without any excavation.

Further, the Air Force contends that slip lining, the method of sewer repair Guildner would use, would require the excavation of at least nine pits in crucial areas within the weapons storage area or at points where sensors are located near the fence around the area. An additional six pits would be required outside the area. Each pit must be excavated horizontally 2-1/2 times the vertical depth of the sewer pipe. The Air Force states that the sewer pipe to be repaired is not straight but has several turns and that slip lining can only be performed in straight line pulls. In addition the Air Force states that sliplining may cause damage to the existing sewer pipe due to the sewer pipe's deteriorated state. It also contends that since the new liner must be significantly smaller than the old sewer pipe, slip lining would significantly reduce the flow of the sewer lines.

Guildner responds that after sliplining 8" and 10" sewer pipe, the capacity will be 103 percent and 96 percent, respectively of existing flow. Guildner states that the reason for this is that there would only be one joint every 40 feet and the pipe's smooth interior surface provides a greater flow than clay or concrete pipe.

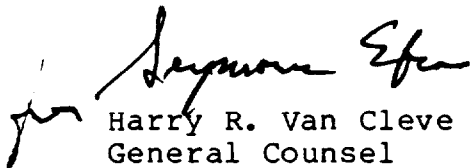
Guildner also states it has performed a sliplining project for the Department of Energy in a highly secure area and it has successfully pulled up to 2,600 feet of pipe in one direction.

Generally, when a solicitation is challenged as unduly restrictive of competition, the initial burden is on the procuring activity to establish prima facie support for its contention that the restriction is justified. The adequacy of a justification is determined by examining whether the agency's explanation can withstand logical scrutiny. R.R. Mongeau Engineers, Inc., B-218356, B-218357, July 8, 1985, 85-2 C.P.D. ¶ 29. Once the prima facie support is established, however, the burden shifts to the protester, to show that the allegedly restrictive provision is unreasonable. Libby Corp., et al., B-220392, Mar. 7, 1986, 86-1 C.P.D. ¶ 227 at 3-4. We will not upset an agency's decision as to its needs and the best method of accommodating them absent a clear showing that the decision was arbitrary or unreasonable, since officials of the contracting agency are most familiar with the conditions under which supplies will be used. Engine & Generator Rebuilders, 65 Comp. Gen. 191 (1986), 86-1 C.P.D. ¶ 27.

We find that the Air Force has convincingly justified its requirement and Guildner has not shown it to be unreasonable. Guildner may have performed sliplining in a secure area before but Guildner has not shown how its experience obviates the Air Force's particular security requirements in this weapons storage area. The Air Force maintains that excavations would have to be performed in crucial areas. Guildner has not stated how its excavations would not hinder the operation of the Air Force's security systems. Since the security requirements in the weapons storage area and the avoidance of excavations reflect genuine needs on the part of the Air Force, we find the limiting of competition to the nondisruptive Insituform method of sewer pipe repair to be appropriate.

Moreover we are not convinced that Guildner's sliplining would not decrease the flow especially since, by Guildner's own admission, the larger 10" pipes' capacity will be reduced and the Air Force has stated that the flow in the pipes is presently at capacity.

The protest is denied.


Harry R. Van Cleve
General Counsel